

Official

7/9/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald H. Sartore et al.
Assignee: Cypress Semiconductor Corporation
Title: SPEED POWER EFFICIENT USB METHOD
Serial No.: 09/590,831 Filed: June 9, 2000
Examiner: Perveen, R. Art Unit: 2182
Attorney Docket No.: 0325.00369

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF RONALD H. SARTORE PURSUANT TO 37 C.F.R. § 1.132

I, Ronald H. Sartore hereby declare as follows:

1. I am presently Vice President of Engineering, Personal Communication Division for Cypress Semiconductor Corporation and have been employed by Cypress in various capacities for more than four years. Prior to my employment at Cypress, I was the founder and CEO of Anchor Chips, founded in December 1995. Anchor Chips was acquired by Cypress in May of 1999.

2. My responsibilities as Vice President include the development of Personal Communications devices products, including Universal Serial Bus (USB) devices.

3. I have reviewed the claims of the present invention.
4. USB devices have three (3) operational modes (i) low speed, (ii) full speed and (iii) high speed.
5. Prior to the USB 2.0 Specification, no commercial USB devices supported the high speed mode.
6. A USB device cannot initiate the switch between the high speed mode and the full speed mode without re-establishing a connection with a host device by removing the physical cable, a process generally referred to as enumeration.
7. Claim 2 of the present invention provides a process of electrically disconnecting and reconnecting a peripheral at an adjusted speed, a process called re-enumeration (see claim 3).
8. U.S. Patent No. 6,311,287 to Dischlcr et al. does not contemplate electrically disconnecting and reconnecting anything, which is consistent with its application in a microprocessor.
9. Based upon my experience and work in the field of USB, the switching between modes by electronically disconnecting/reconnecting a peripheral was not an obvious improvement.
10. Cypress began making USB 2.0 devices in 2002. Cypress continues to sell these products.

11. Cypress' USB 2.0 device products include Cypress's EZ-USB SX2, EZ-USB FX2 and EZ-USB AT2. Each of these products includes an apparatus comprising a peripheral device connected to a host device. A speed of the peripheral device is adjusted in response to one or more predetermined conditions (claim 1). The peripheral device is configured to electrically disconnect and reconnect at said adjusted speed to said host device (claim 2).
12. The sales of Cypress USB products are rapidly expanding into the widespread market of USB 2.0 devices.
13. The invention has experienced significant commercial success. Sales for the product EZ-USB FX2 (a product that incorporates the present invention) amounted to approximately 929,930 units in 2002. The sales increased to 2,945,020 units so far in 2003. Therefore, the present invention has had a considerable amount of commercial success.
14. Furthermore, in the attached Exhibit A, a press release shows that the assignee of the present invention, Cypress Semiconductor Corporation, has shipped at least 250,000,000 USB controllers. 79.3 million USB controllers were shipped in 2002 alone. This nearly doubles the rate of controllers shipped in 2001.
15. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

JUL-09-2003 WED 09:42 AM
JUL. 9, 2003 8:58AM

CHRISTOPHER MAIORANA

FAX NO. 586 4980673
NO. 584

P. 18/20

and that such willful false statements may jeopardize the validity of the application or patents issued therefrom.

Date: 7-8-03

Christopher Maiorana

Page 4 of 4